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CHRISTIAN NEWS
FROM ISRAEL

JERUSALEM

VOL. XII No. 2

JULY 1961



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EDITED BY DR CH. WARDI

GOVERNMENT OF ISRAEL
MINISTRY OF RELIGIOUS AFFAIRS
JERUSALEM

CONTENTS

Through the Eyes of a Christian <i>By the Rev. William L. Hull</i>	3
Chronicle of Events	6
Archaeological Activities in Israel, 1960/1 <i>By Dr Avraham Biran, Director of Antiquities</i>	13
Adolf Eichmann in the Light of Christian Principles <i>By The Rev. Father I. de Azpiazu</i>	19
Reviews of Books:	
F. Perez Castro: "Séfer Abisa" <i>By Dr Shemaryahu Talmon</i>	24
Paul Winter: "On the Trial of Jesus" <i>By Dr David Flusser</i>	28
Books Received	32

THROUGH THE EYES OF A CHRISTIAN

By the Rev. WILLIAM L. HULL

The two most publicized trials in history find their locale in Jerusalem. In both cases Jews and Gentiles are involved.

The first, that of nearly two thousand years ago, involved a Jew illegally judged, illegally sentenced, illegally slain by a Gentile court. More volumes have been published containing particulars of this trial than any other in history. Here was innocency, a Man Who did nothing but good to mankind. He healed the sick and brought life to the dead. The greatest Man Who ever lived, condemned to death by a Roman court.

And—from the supreme height of righteousness we descend two thousand years later to the deepest depth of depravity and evil and gaze upon a man, a Gentile, being judged by a Jewish court. A small man, shifty-eyed, reputedly vile and wicked. Watch his eyes. In the courtroom we see only the rigidity of the man, whether standing at attention before his judges or seated with his hands folded. But watch him on the closed circuit television in the Press Room. See his eyes close up; they switch from side to side, around and around, almost as though seeking an escape from the glare of publicity and the awful revelations to come.

To mention the two prisoners in the same breath or to make comparison between them may seem blasphemous. Nevertheless, a consideration of the two trials and the contrast between them is of dramatic interest. The one was an illegal court, the prisoner innocent but adjudged guilty. The second is a lawful, legally constituted court, the prisoner presumably guilty but up to the last moment clinging to the possibility of a verdict of "not guilty". A nation has been condemned for two thousand years as a result of the first trial. Some are fearful of what will develop from this second trial.

Without prejudging this man, who now faces his judges charged with the responsibility for the greatest deliberate slaughter of innocent people in all the history of mankind, enough has been revealed and sworn to by witnesses in the Nuremberg and other trials to certify his complicity. No

false witnesses here, the facts are incontrovertible. Yet the most relevant witnesses cannot testify. They are dead; they were the victims, six million victims. The opening remarks of the Prosecutor will rank with some of the great utterances of men. "Their blood cries to heaven", he said, "but their voice is not heard. Thus it falls to me to be their mouthpiece."

In the early part of the trial the thin, sharp-featured prisoner with the black-rimmed glasses seemed to pass out of the picture as the court and attorneys discussed points of law, the admissibility of letters and other details. Indeed, the opening days of the trial reversed the situation, for the Defence Attorney questioned the legality of the court and laws of Israel to try the prisoner. The prisoner, through his attorney, was thus accuser, and the court the defendant, until the beginning of the sixth session, when the court effectively and completely affirmed its competence to try the accused. There was almost a feeling of relief at the verdict, though no one could have expected any other.

The Defence Attorney claimed that the prisoner was not in the circle of leaders. The State should be charged, he claimed, and not the prisoner. The very fact that Germany is paying reparations to Israel shows her acknowledgement of guilt and responsibility. This man (Eichmann) was only a cog. As we gaze upon this shrunken man sitting in his chair we realize that he was only a cog, a tool. Not in him could be found the power and opportunity to slaughter millions of people. Only the might of the German nation behind him could put into operation such a diabolical plan—Genocide. He was just a tool, but—a willing tool. There is the rub, there is the guilt, there is the crime. A tool both *willing* to be used and even *desiring* to be used in the evil work.

There is something almost sacred about the entire proceedings. One could imagine that one was sitting in a modern church service, lacking only the organ and the singing. The trial seems to be lifted out of a mundane worldly setting into a sphere of heavenliness. As though God Himself were judging a guilty world which had produced such a monster as the prisoner at the bar. More than that and even worse—a guilty world which had stood by unconcernedly and unprotestingly while six million innocents suffered in agony—and died.

The words of the Prosecutor seemed inspired. His deliberate presentation of legal cases and facts defending the competence of the court caused impatience in some. Never mind; if they came to be entertained by a vulgar display of sensationalism, a Roman holiday, they deserved to be disappointed. Again, this was a sacred event which once more

justified the righteousness of God and the ultimate judgement of evil and evil-doers. If there had not been a trial of Adolf Eichmann, subsequent generations would either have emulated his acts or condemned this generation for cowardice and for sinking to the lowest ebb of morality.

There had to be a trial of this man and the machinery which empowered him. Only an acquiescent world could now stand by and consider the historic facts and withhold itself from judging the main instrument used for the awful crimes. If ever a trial by man was justified, this one surely is and Israel has but led the way, not in a spirit of revenge but in fulfilling a sacred trust and obligation.

Can God forgive this man? If Adolf Eichmann is found guilty by the court and sentenced to death he must die. Will death end it all? Tried by his fellow men and hanged, will this expiate his crimes? This is not the end, this is not all that Adolf Eichmann has to face. True judgement must come to Adolf Eichmann after his death and it is this he must fear more than the sentence passed in the specially prepared courtroom in Jerusalem. But if true repentance should come to this man, would God forgive? Is there forgiveness for such crimes? Can God forgive him? Here is the dividing line over which man cannot and dare not step. He may sit in judgement on the acts of his fellow men. He may judge and punish, with the death penalty, the evil-doer. But he is not God. In the final analysis judgement is of the Lord. There at the last we must leave the soul of Adolf Eichmann, in the hands of God, his final judge.

CHRONICLE OF EVENTS

CENTENARY OF EDINBURGH HOSPITAL IN NAZARETH

On 18 April, the centenary of the Nazareth Hospital of the Edinburgh Medical Missionary Society was marked by a thanksgiving service and the unveiling of a plaque commemorating the 35 years of service of Dr W.D. Bathgate, its former director. The hospital was founded by Dr Vartan, an Armenian from Constantinople, who had been trained in Edinburgh and then sent to this country in 1861 by a Scottish mission. In 1904 he was joined by Dr F. J. Scrimgeour, who took over the hospital when Dr Vartan died in 1908 after 47 years of service. Following World War I, during which time the institution was closed, the direction of the hospital was assumed by Dr W.D. Bathgate, who was joined in 1932 by Dr A.D. Wilson, now in charge of the missionary clinic at Kafr Yassif.

The Edinburgh Hospital in Nazareth has 120 beds. The medical staff consists of four missionary doctors and two local specialists as well as some 50 nurses. The hospital, which has greatly contributed to the improvement of health conditions among Arabs in Nazareth and all Galilee, is continually growing and expanding its facilities. It benefits from the technical and medical assistance of the Ministry of Health and its agencies.

DIRECTOR OF THE ECUMENICAL INSTITUTE, VISITS ISRAEL

On 4 May, Prof. H. H. Wolf, Director of the Ecumenical Institute of the World Council of Churches, accompanied by Dr Nikos A. Nissiotis (Greek Orthodox), Assistant Director of the same Institute, and the Rev. William DuVal, Secretary of the Inter-Church Division of the W.C.C., arrived in Israel for a fortnight's visit. In Jerusalem they met Dr Ch. Wardi, Counsellor on Christian Affairs, and Mr A. Livran, Director of the Division for International Organizations, and the late Prof. Leo Kohn, Political Adviser, both of the Ministry for Foreign Affairs. Prof. Wolf and his party evinced great interest in the religious situation of this country. "We in the World Council of Churches", he said, "regard it as an im-

portant task to help not only the Christian people but the world to understand what the depth dimension is in which the growth of the State of Israel has to be seen”.

DAY OF ST JOAN OF ARC

On 14 May, a ceremony marking the French national holiday of St Joan of Arc took place in the church of *Notre-Dame de France* in the presence of Baron Christian de Sainte-Marie, Consul-General of France in Jerusalem. Mass was celebrated by the Rev. Father Bernardin Bal-Fontaine, Superior of St Peter-in-Gallicantu. It was followed by a reception on the terrace of the convent. Among those present were members of the French colony, foreign visitors and Israel friends of France.

ARMENIAN PATRIARCH RECEIVED BY PRESIDENT

On 17 May, His Beatitude Yeghishe Derderian, Armenian (Gregorian) Patriarch of Jerusalem, was received in audience by the President of Israel, Mr I. Ben-Zvi. The Patriarch's party included: Bishop Heirig Aslanian, Chief Sacristan; Bishop Shahé Adjemian, Director of Estate; Archimandrite Houssig Bagdasian, Patriarchal Vicar in Israel; and Messrs. J. Margarian and J. Torosian, Advocate and Secretary respectively of the Armenian Community in Israel. Senior officials of the Ministry of Religious Affairs were present.

His Beatitude told the President that the Jewish people, whose tragic past so closely resembled that of the Armenians, was best able to understand the struggling Armenian Community. He also expressed admiration for the pace of development in the State of Israel.

President Ben-Zvi, who had first come in touch with Armenian problems during his student days in Constantinople, suggested that something be done to familiarize the people of Israel with the history and culture of the Armenian nation; an anthology of Armenian literature was suggested.

SIXTH PENTECOSTAL WORLD CONFERENCE IN JERUSALEM

On 19 May, the Sixth Pentecostal World Conference, attended by more than 2,700 delegates from some 40 countries, was inaugurated in Jerusalem in the presence of representatives of the Government and the Jerusalem Municipality. At the opening session, a message of greeting, sent by Prime Minister Ben-Gurion, was read in English and Swedish translation. The delegates were then welcomed by Mr Abba Eban, Minister of Education, and by Mr M. Ish-Shalom, Mayor of Jerusalem.

The Conference was organized by an Advisory Committee headed by Dr Howard P. Courtney, Chairman, and the Rev. Gayle F. Lewis, Secretary. The proceedings lasted three days, in the course of which numerous addresses were delivered, alternated by prayers and periods of meditation as well as by community singing and musical presentations.

The last day of the convention coincided with Whitsunday and many delegates visited the Chamber of the Last Supper and the traditional site of the descent of the Holy Ghost, according to *Acts* 2:1-4.

At one of the sessions the Conference unanimously adopted a resolution of warm appreciation of the facilities accorded by the Government and municipal agencies and for the efficient handling of arrangements by "Peltours" and other tourist organizations. A resolution was also adopted to plant 10,000 trees in the Judaeen hills as a token of friendship for "all of Israel, and for every citizen of this new and wonderful nation, born through a divine miracle and as a fulfilment of Bible Prophecy."

EDITORS OF CHRISTIAN PERIODICALS VISIT ISRAEL

On 19 May, Dr Carl Henry, editor of *Christianity Today*, Dr Kenneth L. Wilson, editor of *Christian Herald*, and Dr Sherwood Wirt, editor of *Decision*, arrived in Israel for a two-week stay. The party toured the country with officials of the Foreign Ministry. In order to gain an understanding of the conditions of religious liberty as conceived and practised in Israel, the editors met with leaders of the Christian communities and senior officials of the Foreign and Religious Affairs Ministries. They also attended the Sixth Pentecostal World Conference.

On 6 June, after their return to the USA, the three editors published the following joint statement:

As editors of American Protestant evangelical magazines, we believe that the present moment of world history offers a fresh and providential opportunity for Hebrew-Christian understanding. A 'break-through' of the barriers that have deadlocked orthodox Jews and evangelical Christians is now a live possibility for the first time in nearly 2,000 years. This new opportunity will require creative exploration and spiritual earnestness on the part of both Jews and Christians.

Vital aspects of such an approach are: Christian recognition that the people of Israel are in God's plan. Christian commitment to unconditional love for the Jewish people everywhere. Conversation between orthodox Jewish scholars and evangelical Christian scholars, whose common devotion to the authority of the Old Testament is their bond

and point of beginning. Christian-Hebrew dialogue should move from the profundity of evangelical conviction to the profundity of Jewish traditional belief. The Christian message is directed toward the Messianic consciousness of the Jew. The New Testament does not condone a 'least common denominator' approach.

In recognizing anew the Hebrew ancestry and preparation for the Christian faith, Christians find in the nation of Israel a unique locale for such dialogue. Their resettlement in Palestine now shelters once dispersed Jews from the intolerances of state religions and also from the barbarian cruelties of a wicked Gentile era forgetful of Judeo-Christian ethics. Israelis also have an opportunity to transcend the intolerances of the first century of the Christian era in the land of Palestine. The heritage of religious liberty guarded by separation of Church and State, which has shaped a hospitable national climate for American Jewry, can also guide Israel in the provision of larger freedom for Protestant and other religious workers.

MUSIC FESTIVAL AT KIRYAT YEARIM

On 27 May, the fifth annual Music Festival at Kiryat Yearim near Abu Ghosh was opened in the French church of *Notre-Dame Arche-d'Aliance*. The Festival this year included six concerts, performed on three successive Saturdays. Nearly 2,500 persons attended. The church, chosen for the concerts because of its excellent acoustics and special atmosphere, was placed at the disposal of the organizers by the Sisters of Notre-Dame and their almoner, the Rev. Father J. Revoil.

Mr S. Stadermann, musical director of the Festival, has always endeavoured to offer his audience works which are seldom performed in this country. Thus they had formerly heard in Kiryat Yearim: Cherubini's *Requiem*, Bach's *Cantata No. 18*, Schutz' *Psalms*, Mozart's *Mass in F*, Haydn's *Stabat Mater*, Kodaly's *Missa Brevis*. This year's concerts included first performances of Bach's *Brandenburg Concerto No. 2*, Stamitz' *Concerto for Viola and Orchestra in G*, Händel's *Belshazzar* oratorio, *Pezzi Sacri* by Verdi and *Motets* by Grandi.

ARAB HOUSING IN NAZARETH

On 28 May, a new block of 58 dwellings for Arab homeless workers and families transferred from surrounding villages was dedicated in Nazareth. The popular housing programme, inspired and initiated by Father Gautier, and carried out jointly by the Ministry of Labour's Housing Division and the *Histadrut* (Labour Federation) now comprises 140 dwell-

lings. Father Gautier came to Israel from France several years ago to serve under the Greek-Catholic Archbishop of Galilee, Mgr G. Hakim. He conceived this plan for low-cost housing in Nazareth in order to help those who were in greatest need, and has since worked indefatigably to bring it to fruition. Mgr Hakim, who actively supported the building programme, attended the dedication ceremony. Also present were Mr N. Bathish, Deputy-Mayor of Nazareth; Col. Y. Verbin, Military Governor of Galilee; Arab members of the *Knesset*; and senior Government officials.

ORTHODOX PENTECOST CELEBRATED AT RUSSIAN CATHEDRAL OF JERUSALEM

On 29 May, the Orthodox Community of Jerusalem, consisting of Greeks, Slavs and Arabs, celebrated the Feast of the Holy Trinity (Monday Pentecost) in the Russian *sobor*, situated in the centre of the New City of Jerusalem.

The liturgy (of St John Chrysostom) was performed by His Grace Kyr Athenagoras, Archbishop of Sebastia, in concelebration with the Very Rev. Archimandrite Augustin, Head of the Moscow Patriarchal Mission, and numerous Greek, Arab and Russian clergy. The church, magnificently arrayed and profusely adorned with greenery and flowers, was filled to capacity. Among those present were the faculty members and students of the Swedish Theological and Israel-American Institutes.

The service was followed by a reception held on the premises of the Moscow Patriarchal Mission, which was attended by a large gathering of clergy and laity, including the Ambassadors of the USSR and of the Republics of Poland, Czechoslovakia, Yugoslavia, Hungary and Bulgaria; the Mayor of Jerusalem; and the Director-General of the Ministry of Religious Affairs.

LECTURE TOUR OF OFFICIAL OF MINISTRY OF RELIGIOUS AFFAIRS

On 6 June, Dr S. Colbi, Director of the Department for Christian Communities at the Ministry of Religious Affairs, returned to his desk after a six-week lecture tour of Italy and France. During his travels he visited the headquarters of the Salesian and Lazarist Fathers, those of the Sisters of Nazareth, St Vincent of Paul, St Mary *Auxiliatrix*, and others. He lectured on "The Relations between the State of Israel and the Churches" at the Salesian Athenaeum of Turin, the Catholic Centre of French Intellectuals in Paris, the Association of Mediterranean Studies in Florence, the Italy-Israel Association in Rome and the Philological Circle in Milan.

During his stay in Italy and France, Dr Colbi was received by their Eminences Cardinal Maurilio Fossati, Cardinal Eugene Tisserant, and Cardinal Gustavo Testa. He also met with Archbishop Hermengild Florit, Bishop Antonio Santin and Prof. La Pira, Mayor of Florence.

EDUCATION MINISTER SPEAKS ABOUT MISSIONARY ACTIVITY

On 7 June, Mr Abba Eban, Minister of Education, declared that no law prohibiting Jewish parents from sending their children to Christian schools or proscribing missionary activity should be passed by the *Knesset* (Parliament). Replying to a motion for the agenda by Rabbi M. Porush, a representative of the ultra-orthodox party *Agudat Israel*, the Minister asserted that any such legislation would run counter to the democratic principles on which the State of Israel is founded. Although it was sensed that Jewish children taught in missionary schools received a defective Jewish, national and Hebrew education, the only acceptable approach to this difficult problem was in the areas of education, information, argumentation and moral suasion.

NAME OF PONTIUS PILATE ON STONE FOUND NEAR CAESAREA

On 16 June, Prof. A. Frova, Director of the Italian Archaeological Mission in Caesarea, informed the Israel Director of Antiquities that a stone was discovered with the name of Pontius Pilate engraved on it. The Latin inscription is the first such testimony to the name of Pilate, who resided in Caesarea as Procurator of Judaea in 26-36 CE (30 is usually considered the year of the Crucifixion). Prior to the discovery, our sources for the name were the Gospels, Flavius Josephus and Philo Judaeus.

The stone, some 80 cm. x 60 cm., was found in the Caesarea Roman theatre—where it was reused as a building stone—now under excavation by the Italian expedition. The inscription has three lines: the word TIBERIEUM is written in the first, apparently indicating some formula of dedication to Emperor Tiberius; [PON]TIUS PILATUS appears in the second (his first name is still unknown); the third has not yet been deciphered. The entire left section of the inscription is missing.

The Italian Archaeological Mission, now in its third season of work, is sponsored by the *Istituto Lombardo di Scienze e Lettere* of Milan. His Exc. Count Giovanni Revedin, Ambassador of Italy, has been active in promoting their work.

LATIN PARISH CHURCH DEDICATED IN HAIFA

On Thursday, 29 June, the solemn benediction was given to the new parish church of the Latin Community in Haifa, by His Exc. Mgr P. G. Chiappero, Vicar-General of the Latin Patriarch in Israel. Following the dedication ceremony, a pontifical mass was celebrated in the church.

Inauguration ceremonies were conducted throughout the weekend: on Friday, a pontifical mass was celebrated according to the Maronite rite by His Exc. Mgr Joseph Khoury, Bishop of Tyre and the Holy Land; on Saturday, a pontifical mass according to the Melchite rite, by His Exc. Mgr George Hakim, Archbishop of Galilee; and on Sunday, a solemn mass according to the Latin rite, by the Very Rev. Father Anastasius of the Holy Rosary, Superior-General of the Carmelites.

IN MEMORIAM

DR YEHUDA PINHAS (LEO) KOHN

On 3 June, Dr Yehuda Pinhas (Leo) Kohn, Political Adviser to the Minister for Foreign Affairs and Associate Professor of International Relations at the Hebrew University, passed away in Jerusalem, at the age of sixty-seven.

A highly-educated man, with definite religious and moral principles to guide him in life, Dr Kohn was keenly interested in inter-communal, and especially in Judaeo-Christian relations, and, perhaps for this reason, in *Christian News from Israel*. For years and years, though immersed in a welter of work, and often suffering cruelly from a chronic ailment, he constantly and unsparingly assisted in the editing of this journal, advising on matters of policy, style, language and even grammar.

The present editor, who alone knows the extent of his contribution, hereby wishes to acknowledge his great indebtedness to the late Dr Kohn.

*

Dr Kohn was born in Frankfurt-am-Main. He settled in this country in 1925, where he served as Political Secretary of the Jewish Agency until 1948. In 1948 he was a member of the Israel delegation to the armistice talks at Rhodes and in 1950 he served on the delegation to the UN General Assembly. In 1958 he was accorded the personal rank of Ambassador.

ARCHAEOLOGICAL ACTIVITIES IN ISRAEL, 1960/1

By DR AVRAHAM BIRAN

Director of Antiquities

(Continued from previous issue.)

Ramat Rahel

From the Dead Sea area to the west there was much archaeological activity. At Ramat Rahel, near Jerusalem, Dr Y. Aharoni unearthed a royal citadel, possibly built by King Uzziah. His expedition is co-sponsored by the University of Rome, the Israel Department of Antiquities, the Hebrew University and the Israel Exploration Society. Last year's dig had uncovered what seemed to be a citadel. Also revealed then were sections of a double wall surrounding the settlement. Now visible is a part of the large building dating to the Judaeen Monarchy (8th century BCE). The entrance to the building and some adjoining rooms with walls more than two metres thick have been cleared. One of the walls, of well-dressed and joined blocks, represents one of the finest examples of the masonry of this period. Traces of fire were found in the building. The socket of a pivot on which the door turned was also discovered.

The site has also yielded a wealth of epigraphic material, and this season a record number of 112 inscribed pottery handles have been collected. The most interesting are two seal-impressions from the period of the Judaeen Monarchy. One of them reads *YHWHYL BN ShHR*—Yehohayil ben Shazar. The second, which dates to the post-exilic period, carries the inscription *L'HYW PHW* [*Leahyo Pahwa*] "Belonging to Ahyo (Ahiyah) the Governor". This is the second name of a Jewish governor under Persian rule to be discovered at Ramat Rahel.

A relatively large number of small pottery figurines, mostly of Ashtoreth and of various animals, were also found. One painted sherd shows the profile of a bearded man, probably a king, seated on a high chair. The faint line painting, in black and ochre, dates to the Judaeen Monarchy, and is believed to be the only sample found in Israel of a human figure

painted on pottery from this period. The posture of the figure indicates an Assyrian-Syrian style.

Above the Israelite ruins, there were extensive bathing installations from the Roman and Byzantine periods. Stamps of the Tenth Roman Legion (Julius Caesar's favourite) found on the tile pavement of a floor indicate that the baths were built by the Legion, which conquered Jerusalem. The baths included three coloured mosaic floors, geometric in pattern, and bathing tanks, pipe conduits and cisterns. The mosaic floors were removed to permit excavation of the lower strata, and will probably be relaid near their original location. The baths were supplied by rainwater, and the piping is of a continuous system, water running from one bath to another.

Caesarea

In *Christian News from Israel*, Vol. XI No. 4, there appears a report on the excavations and restorations of Caesarea by the head of the expedition, Mr A. Negev. The city also continues as a centre of prodigious activity on the part of American and Italian expeditions.

The Link Underwater Archaeological Expedition discovered tangible evidence of a colossus on the sea bottom at the entrance to the harbour of Caesarea. According to Mr Edwin Q. Link, leader of the team (and owner of the expedition vessel, the "Sea Diver"), this confirms Josephus' descriptions of the port. Mr Link stated that their work in Caesarea convinced him that the Roman port had been destroyed by some catastrophe, probably an earthquake. A silver coin found in the water shows the entrance to a harbour flanked on both sides by a colossus; the obverse is stamped with a representation of Neptune. This Link Expedition also did important work in the Sea of Galilee, north of Tiberias, where they found traces of a road on the lake floor and a large collection of Roman pottery and cooking pots.

In Caesarea, a treasure trove was found in a green glazed earthenware jar, buried in the rubble of one of the old store-houses. The treasure comprises more than 130 articles, including walnut-size gold beads and a three-strand gold necklace. One item, a bronze charm, bore an Arabic inscription. The collection dates from the 11th-12th centuries.

Of special beauty is the aqueduct which brought sweet water to Caesarea from far-off springs. Clearing operations have revealed its arches. Efforts are being made to prevent the sand from covering the aqueduct again.

Roman Theatres. In Caesarea, a mission from Milan headed by Prof. A. Frova has almost completely cleared the Roman theatre facing the sea, equipped to seat some 4,000 persons. In Beit She'an, another theatre is being cleared by Dr. S. Applebaum, for the Prime Minister's Office and the Department of Antiquities. The theatre was built into a hillside facing the ancient mound and a view stretching down the Jordan served as a natural background to its stage.

Antiochus Inscription in the Emek

A bulldozer being operated in the fields of Kibbutz Hefzibah turned up by chance a stone inscribed in Greek with copies of official documents from the reign of Antiochus III, the Great (223-187 BCE). This monument, the first of its kind to be found in Israel, yields important information about conditions in the north of the country after it had been wrested from the Ptolemies, and about methods of Hellenistic administration.

The inscription comprises copies of eight official documents, all dating from 200 BCE. A first, incomplete reading shows that six are letters from Antiochus III and are concerned with the fifth document (endorsed by a letter from the king), which is a memorandum by one "Ptolemaios", *strategos* (military governor) and chief priest, in which the king proposes that "no one be allowed under any pretext whatsoever to billet... or drive out inhabitants". Reference is also made to acts of injustice and violence in the villages. The addressee here is identical with Ptolemaios, son of Thraseas, described by Josephus in his *Antiquities of the Jews* as the recipient of another letter from the same king, granting privileges to Jerusalem and the Temple. He began his career as a general of Ptolemy IV of Egypt, but later defected to the enemy camp of the Seleucids and was rewarded by Antiochus III with the military governorship and the office of chief priest in southern Syria and Phoenicia.

Two of the documents are letters which complete the information obtained up to the present from Ptolemaios' memorandum. Two others are copies of covering letters sent by the king, with the memorandum and one of the above-mentioned letters respectively. The second and eighth documents are so far almost unreadable. The inscription is headed by a letter, chronologically the last, in which Antiochus III instructs Ptolemaios to bring the documents to the notice of the public by carving them on stones to be set up in public places. Our monument must be one of these stones.

Our inscription thus deals with the damage done to villages by unjust

billeting accompanied by violence, probably as a result of the state of war which prevailed between the Ptolemies and the Seleucids about 200 BCE.

Hebrew Documents

An unusual document in biblical Hebrew of the end of the 7th century was discovered at Metzad Hashavyahu, south of Kibbutz Palmahim, the site of an ancient fortress covering approximately one and a half acres. The place had previously been inhabited at the end of Iron Age II. Three Hebrew ostraca written in ink were brought to light in the vicinity of the fortress gate. The largest letter was found in six pieces and was deciphered by the excavator, Mr J. Naveh. It is a complaint by a man, employed in harvesting, whose coat was confiscated. He appeals to the governor either to return the garment himself or to effect its return through his agents, for the man is innocent of the charge brought against him. He maintains that he had finished the quota of reaping assigned to him. In requesting the return of his garment, the reaper promises nevertheless to pay in full whatever the governor may demand. (Cf. *Ex.* 22:25-26.)

Azor

Another inscription comes from the excavation at Azor, where part of the ancient cemetery was cleared under the supervision of Dr M. Dothan. Azor is one of the richest sites on the coastal plain and contains burials from the Chalcolithic period to the Middle Ages. This season the expedition found tombs of the Canaanites who inhabited the coast in the 13th century BCE. In the 12th-11th centuries, the Philistines also buried their dead in the Azor cemetery. In one of the tombs, Philistine pottery vessels were found placed around the head of the deceased—a young man. On his throat lay an Egyptian scarab, of a type previously unknown in Israel, representing the Nile god Hapi surrounded by three crocodiles. The scarab is from the 20th Egyptian dynasty, which is contemporary with the appearance of the Philistines in this country. Other objects in the tombs, such as a bowl painted with Egyptian and Philistine motifs, also point to Egyptian influences on Philistine material culture.

At Azor was found another type of burial, very rare on other sites: the body was placed in two jars halved lengthwise and joined mouth to mouth. Other tombs were built of mud-bricks in coffin shape. The latest Philistine type found at Azor (end of 11th century BCE) consists of a large pottery jar, sealed with a slab of basalt or a bowl, standing in the centre of a stone-built frame and accompanied by a number of smaller vessels. In

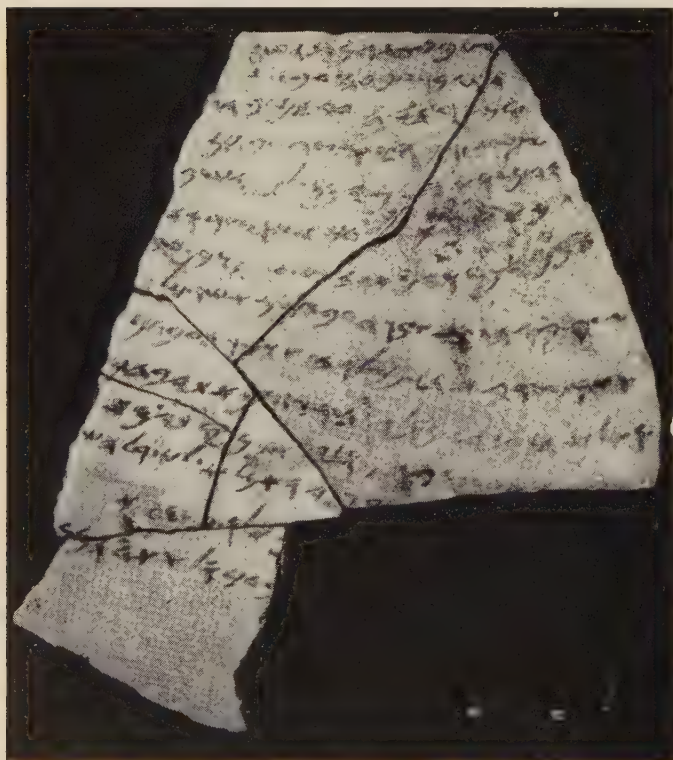


Mosaic tile floors of baths cleared at Ramat Rahel, excavated by Dr Y. Aharoni. The baths include three coloured mosaic floors, geometric in pattern, and bathing tanks, pipe conduits and cisterns.

A seal-impression from Ramat Rahel, dating to the Judaean Monarchy: *Yehohayil ben Shazar*.



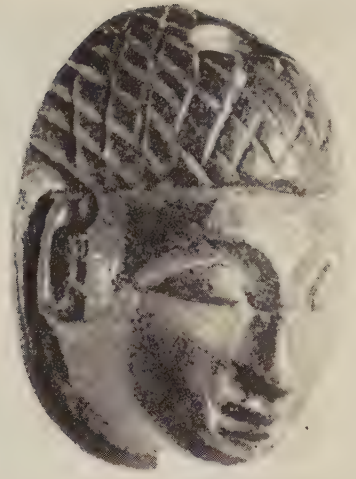
1. Excavations at Ramat Rahel, including some remains of a royal citadel possibly built by King Uzziah (cf. 2 Chr. 26:9).



2. A Hebrew ostracon written in biblical Hebrew (7th cent. BCE), found at Metzad Hashavyahu, excavated by Mr J. Naveh. The largest of three such letters written in ink, it is a complaint from a man, employed in harvesting, whose coat has been confiscated. He appeals to the governor to have it returned, for he is innocent of the charge brought against him. (Cf. *Ex.* 22:25-26.)



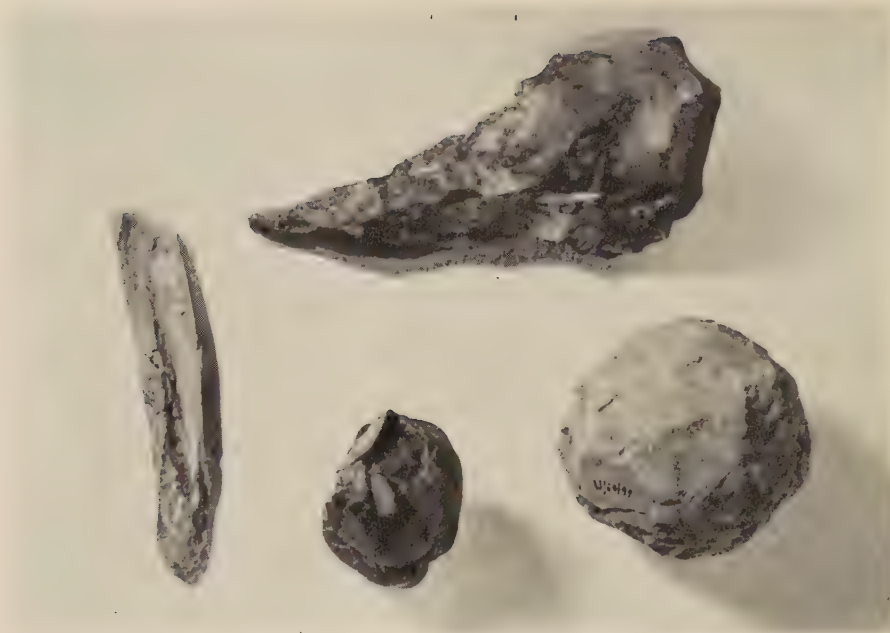
1. A jar found in a tomb at Azor, excavated by Dr M. Dothan. The inscription, probably from the 7th or 6th cent. BCE, is very clear: *LeShelmay* (belonging to Shelmay).



2. An Egyptian scaraboid, apparently of a negroid head from Azor. It is stone painted black, and dates to the 8th-6th cent. BCE.

3. An Egyptian scarab with a representation of the Nile god Hapi surrounded by three crocodiles (Azor).





1. Utensils from the lower Pleistocene age, discovered in the Jordan Valley near Kibbutz Afikim, excavated by Prof. M. Stekelis. Vestiges of the period prove that the site was inhabited by man half a million years ago.



2. A characteristic contracted burial, one of 40 found in the Natufian level of a prehistoric village excavated by Prof. Stekelis in Nahal Oren, on the slopes of Mt Carmel.



3. A carved animal head from Nahal Oren.

the central jar, calcined human bones were found together with offerings, including pottery flasks, a beautifully preserved bronze bowl and a gold mouthpiece (a narrow strip of gold placed on the mouth of the deceased). This cremation burial is the earliest example of its kind found to date in this country.

Among the tombs of the Solomonic period and of the early Divided Monarchy, a large tomb is of special interest. A considerable number of people were buried in a family plot surrounded by a stone wall one metre high. Four burial phases can be distinguished, each accompanied by pottery, rings, bracelets, fibulae, beads and scarabs. The pottery includes a large number of Cypro-Phoenician vessels, indicating wide-spread trade relations in that period.

In a tomb dating from the 7th-6th century, a jar bearing the inscription *LShLMY* was found. The inscription was written on the wet clay before the jar was fired and is very clear. The shape of the letters points to the late 7th or early 6th century BCE, i.e. the end of the Kingdom of Judah. The inscription is to be translated, "Belonging to Shelmay" and tells us that the jar belonged to one *Shelemiah* or *Shelemiahuh*, a name mentioned several times in the Bible.

Earliest Remains

From north to south, some of the earliest traces of man were discovered. In the Jordan Valley near Kibbutz Afikim, important vestiges of the lower Pleistocene Age were found by Professors M. Stekelis, L. Picard and G. Haas, all of the Hebrew University. These are the most ancient human remains ever discovered in the Near East, comparable in age only to finds in Algiers and Tanganyika. They prove the site was inhabited by man half a million years ago. The finds include: two fragments of a human skull, four times as thick as that of modern man, and an incisor tooth; fossil bones of some forty different species of animals (elephant, rhinoceros, hippopotamus, wild boar, turtle, a catfish known as "clarias"); flint tools and chopping instruments belonging to the so-called "pebble culture".

Further north, Mr J. Perrot continued his excavations at the important site of Eynan, near the bountiful springs which enabled the settlement to flourish. An almost circular house, 3.5 metres in diameter, was cleared. Its wall was composed of a foundation of large stones, some well dressed, with smaller stones in between; it probably was a revetment for the wall of the pit dug inside, undoubtedly in order to smooth and level the ground. All the typical Natufian stone implements were found.

In the centre of the country, on the slopes of Mt Carmel near Nahal Oren, Prof. Stekelis has cleared a Neolithic village dating to the 8th millennium BCE. In the village, which belongs to the pre-pottery period, 20 houses have been unearthed, some round and others oval. For the first time we have evidence of an organized attempt to plan a complete settlement with houses, entrances and courtyard. The finds point to the making of flint and stone utensils, indicating that the people who lived there had a fairly well-developed culture and even imported goods from neighbouring countries. The second stratum, the oldest of the Neolithic period, was much more developed, to judge by the stone industry, art objects and architectural remains. From the many sickle-blades and flint knives, it appears that agriculture or gardening was the basic economy. All these testify to an economic stability maintained over a large period. From finds of a similar period in Jericho, it is estimated that the settlement dates to 8000-7000 BCE.

There were two Natufian strata below, where in previous seasons a cemetery had been excavated. The rich industry included sickle blades, borers, scrapers, small stone vessels and many implements of bone. The remains, including the 40 burials in the cemetery, indicate continuous habitation. A Kebarian level was discovered below, in two places. Below this was a stratum of the Atlitian culture which, along with the Kebarian, belongs to a society of food-gatherers, leaving no buildings. The stratigraphical sequence of Nahal Oren can now be summarized as follows: (1) Atlitian; (2) Kebarian; (3) Natufian (two phases); (4) Pre-pottery Neolithic (two phases).

Further south, Mr J. Perrot, on behalf of the French *Centre National de la Recherche Scientifique*, made some soundings on a site not far from Kibbutz Gath. The results indicate seasonal occupation of the site by semi-nomadic shepherds. The material assemblage resembles that of the upper level at Beersheba and that of Ghassul. At the same time, a "northern" influence (sledge-handles and burnished wares) is apparent, and there are affinities with sites along the coastal plain. The occupation of the site of Gath probably followed immediately upon the abandonment of the Chalcolithic sites in the central Negev, and should be dated between 3200 and 3100 BCE.

THE TRIAL OF ADOLF EICHMANN IN THE LIGHT OF CHRISTIAN PRINCIPLES

By the REV. FATHER I. DE AZPIAZU

Adolf Eichmann stands accused of having taken part in the Nazi genocide of the Jewish people.

The situation has many historical and legal aspects which have been the theme of heated debates. The Prosecution claims that Eichmann was one of those most responsible for the perpetration of this crime. The Defence places him in a subordinate position within a State machine which conceived and effected the extermination of six million Jews.

Some jurists maintain that the trial in Jerusalem is basically invalid. According to them, the Court is not competent, because of the way in which the accused was apprehended, the lack of impartiality on the part of the judges, and the illegitimacy of the Law applied in the trial. Others, however, argue that the means of detention do not affect the competence of the Court, that the judges can be just without being neutral, and that the Nazis and Nazi Collaborators (Punishment) Law is unexceptionable.

Some historical and legal aspects of this extraordinary case elude the judgement of Christian social ethics, being of a pure technical character; others, however, can and must be studied and judged in the light of Christian principles of morality.

Which are these aspects and what is the judgement of Christian ethics?

Father Iñaki de Azpiazu is a Catholic priest from the Basque country who has settled in the Argentine. Until a year ago he was Chief Chaplain of Prisoners. He served as President of the Organizing Committee of the First Latin American Congress for Penitentiary Studies. He has written several books, including *Mensajes Penitenciarios* and *Concepto Cristiano de Pena*. He is at present attending the Eichmann Trial in Jerusalem. His comments on the aspects of International Criminal Law in the trial appear in the Buenos Aires daily *Correo de la Tarde* and in the Mexican journal *Siempre*. He also contributes to the bi-monthly *Criterio*, published in the Argentine capital.

The Nazi genocide

The word *genocide* is new. It was used for the first time in 1944 by a Polish lawyer named Lemkin. According to the Convention on Genocide, which was signed by 48 nations and became operative on 12 January 1951, the following acts fall within the notion of genocide: (1) mass homicide of members of a national, ethnic, racial or religious group; (2) grave assault on the physical or spiritual integrity of a large section of such a group; (3) the intentional subjection of such a group to such conditions of living as cause physical destruction, total or partial; (4) measures which have as their object the suppression of births within such a group, causing the death of its infants, or the forced transfer of children to another group.

The formal object of genocide is to destroy, totally or in part, a national, ethnic, racial or religious group. Nobody can deny at this time that the Hitler régime in Germany committed the crime of genocide against the Jewish people. The Nuremberg Tribunal established the existence of this crime and defined the general outline of its scope. Pope Pius XII referred to this same crime when he wrote :

We have witnessed killings from race hatred. All the world has seen proof of the horrors and cruelties of the concentration camps. We have heard of the suppression of hundreds of thousands of human beings classified "as unfit to live", of ruthless mass deportations of which the victims were doomed to misery, often together with their women and children, of violence done to defenceless youngsters and women, of man-hunts organized among the civilian population.

The reason for these unjust actions was success. The violence was cynical and savage, said the Pope, and he added that these were men, not the blind forces of nature, "who attacked entire communities — sometimes with barbaric passion, at other times with cold premeditation — inflicting upon them unspeakable suffering, misery and extermination".

Impunity tantamount to injustice

The Nazi leaders who practised genocide tried to convince themselves that nobody would call them to account, or that they would one way or another escape punishment. On this subject Pope Pius XII said:

When fate turned against them, there remained for them the possibility of fleeing abroad. This was the attitude of people who behaved like criminals, or who, secure in their power, far from

hindering others from doing evil, ordered and compelled them to do so.

Those who were responsible took all sorts of measures to escape the arm of justice when the fortune of war turned against them. Some committed suicide; others tried to gain favour with the Allies at the eleventh hour; not a few succeeded in fleeing abroad where they sought the protection of other dictators, friends or accomplices. If justice were not to intercede by arresting, indicting and condemning them, their victims would be left with the impression that right was no more, that there was no defence and that they had been abandoned to arbitrary and brutal force.

With good reason Pope Pius XII wrote :

It is necessary that all those guilty of what we have just mentioned, *whoever they are*, be compelled to account for their actions, that they pay the fitting penalty and that no way be open to them to escape this punishment for their deeds.

The Nazis who were accused of genocide resorted to a line of defence which consisted in the statement that they merely "followed orders". Christian social ethics are clear on this point. Were that argument valid, it would serve as an instrument for the destruction of society, since it would concentrate the guilt in a single group — and a very small one — which alone would be responsible, thus releasing all those whose collaboration was necessary for the crime to be committed. The argument, moreover, contains a pragmatic principle, according to which the personal interest of the criminal would take precedence over the right and life of the victims.

Said Pope Pius XII :

There exists no right, no obligation, no permission to commit an immoral act, even if it be *ordered*, even if the refusal to commit such an act would cause the worst personal harm.

Ideal justice opposes genocide

The ideal would be to have a competent International Court to judge such cases according to the precise rules of an adequate International Penal Law pertaining to and authorizing punishment for certain crimes, and particularly genocide. Many obstacles have been raised against the realization of this plan. Most of them originate in the totalitarian countries, where genocide is committed and wars are fomented. Mainly for these reasons, the path towards ideal justice is a long, slow one. And so it

happens that dictators are able, within their own countries, to commit grave crimes against individuals and against specific groups without their deeds coming to judgement before a competent and effective court. When defeated, they quit their countries laden with riches, find asylum abroad, and are quite frequently able to prepare their return to power. Sometimes they do not manage to flee, and have to stand trial before their countrymen. The victims then become the judges and sober, impersonal justice is endangered. After the Second World War, Nazi genocide was judged by the victors. Not all of the judges had clean hands . . .

It is, therefore, of the utmost urgency to establish, as soon as possible, an International Penal Code and a competent Court on the same level, to judge specific crimes according to precise and just criteria. In the meantime, it is necessary, through efficacious and feasible legal action, to fill the huge legal vacuum created by Nazism. This is precisely what Israel is doing at present.

Eichmann's role in the Nazi genocide

Already during the Nuremberg Trial the name of Eichmann was mentioned as one of those chiefly responsible for the crime against the Jewish people. The accusations brought against him in the International Tribunal were numerous and grave. It was alleged—and proved—that he had been in charge of arresting the Jews and transporting them to the extermination sites.

From 1945 on, Israelis searched indefatigably for him. At last he was discovered in the Argentine, kidnapped and brought to Israel. This operation provoked a diplomatic protest by the Argentine Republic. During the ensuing controversy, relations between Israel and the Argentine were in danger of being ruptured. In the end, an agreement was reached and the representations made by Israel were considered satisfactory. The Security Council declared that Eichmann had to be brought to justice. For a long time discussion continued on the question whether the act of seizure did or did not invalidate the trial of Eichmann in Israel.

One thing is certain: Eichmann must be judged somewhere by a suitable court. Can he be judged in Israel? As matters stand, no other country has claimed this task, not even the Federal German Republic. Are the Laws, according to which he is to be judged, just? The "Nazis and Nazi Collaborators (Punishment) Law" of Israel has legal precedents in the Laws of the International Tribunal at Nuremberg.

When analysing the arguments which have arisen from the fact of

the kidnapping and from the Israel Law, one must necessarily consider that the nature of Nazi genocide justifies recourse to special legislation by which, in this unique case, certain unusual methods of proof are admitted and the necessary retroactivity of the law is made possible. The Law nevertheless guarantees to both the accused and his counsel the full scope of their defence. In fact, the trial in Jerusalem offers every necessary guarantee and is directed by honoured members of the profession whose impartiality and juridical backgrounds are universally recognized.

So far, the facts prove that Adolf Eichmann must be tried and that he stands before a court against whose competence no serious objection could possibly be raised as long as there exists no International Court or International Penal Law. To wait until they should be constituted would be to open the doors to impunity.

The measure of Eichmann's guilt

It is not for us to decide this. We shall wait for the judgement of the court in Jerusalem. There is every reason to believe that it will be a just verdict.

Christian social ethics, which we have described in its principles and application, demand that justice be tempered with mercy. But the latter without the former is neither a virtue nor a norm of human coexistence. It is high time to raise a clamour against genocide, in a period when crime for political, racial or religious motives "upsets the social order no less than ordinary crime".

The trial of Eichmann is required by justice, and though conducted in Jerusalem it is in no way impaired by vindictiveness. Moreover, it serves to fill the legal void created by Nazism, to provide for the victims an assurance of protection and to make certain that, henceforth, the perpetrators of genocide will be called to account. This is a triple objective approved of and subscribed to by Christian social ethics.

REVIEWS OF BOOKS

SEFER ABISA, by F. PEREZ CASTRO (Spanish). *Textos y Estudios del Seminario Filológico Cardenal Cisneros*, C.S.I.C., Madrid, 1959. Pp. liii + 116, 24 plates.

During the past 25 years, we have seen a surprising renaissance of biblical and Judaic studies in modern Spain. The renewed interest in these fields of learning was undoubtedly motivated by the desire of the present inhabitants of the Iberian peninsula for a reassessment of their cultural inheritance throughout the ages. Archaeological remains and epigraphic material from early Phoenician settlements are highly treasured. Arabic studies are pursued with great fervour, together with research in the mediaeval Christian roots of modern Spain. It is in this context that the need was felt to study afresh the "Golden Age" of Hebrew and other Jewish literature in Spain, and its impact on Spanish culture in the Middle Ages.

The main centres of these researches are the *Instituto Arias Montano* and the Departments of Semitic Studies at the Universities of Madrid and Barcelona. The *Instituto* publishes two excellent periodicals, *Sefarad* and *Al-Andalus*. There also the

plan was conceived to prepare new scholarly editions of all the ancient versions of the Bible, in Hebrew as well as in translations. Prof. F. Perez Castro's book, *Séfer Abisa*, here under review, is one of a series of publications planned by the editors of the Spanish Bible and is indicative of the high scholarly standard achieved by the collaborators in this project.

*

In 1616, the diplomat Pietro della Valle procured in Nablus a manuscript of the Samaritan Hebrew Pentateuch for the French savant, A. de Sacy. Scholars had previously known of the existence of this version from the Talmud and the writings of the Church Fathers, as well as from reports of mediaeval Jewish and Christian travellers. But then, for the first time, European scholars gained access to this version and were given an opportunity to collate and analyze its variant readings and to compare them with their parallels in the Masoretic text and the Septuagint. A heated discussion soon arose with regard to the relative value of these three main witnesses to the text of the Pentateuch. The pros and contras adduced in the initial stages were of

a rather dogmatic nature, but in the course of time a more scientific attitude prevailed. The high rating then accorded to the *Samaritanus* by some scholars can be explained partly by the fact that this version was (and still is) copied in the ancient Hebrew script, which conveys an impression of high antiquity. The Jewish (Massoretic) text, on the other hand, had been transmitted since the time of the Second Temple in the square Hebrew letters, which were considered an innovation that the Babylonian Talmud ascribed, somewhat arbitrarily, to Ezra the Scribe (*Sanhedrin* 21b-22a).

The scales were tipped even more in favour of the *Samaritanus* when, at the end of the 17th century, news reached Europe of an extremely ancient scroll containing this version which was reported to be kept in the *Kinshah*, the Samaritan synagogue at Nablus. Bishop Huntington, who carried on a lively correspondence with the Samaritan community at Nablus, was the first to mention this manuscript, in 1690. Thereafter, innumerable attempts were made to acquire this famous scroll, the *Sefer Abisha*, or at least to copy it, but all in vain. The Samaritan priests held the scroll in very high esteem and would not even allow a lay member of their own community, let alone a non-Samaritan, to handle the holy book or peruse it. Interest in the text was intensified in the late 19th century, after visitors to Nablus who had seen it pronounced their conviction that it was the most ancient of all Heb-

rew manuscripts of the Pentateuch then known. Still, a proper evaluation of the scroll was impossible as long as no qualified scholar had a chance to study it.

When photography began to play its part in making manuscripts accessible to wider circles of scholars, several attempts were made to photograph the Abisha scroll. All met with the refusal of the Samaritan priests. True, in 1920 the *American Geographic Magazine* printed a photograph of one column of the scroll, but it was practically illegible. In 1946 it fell to Paul Kahle, the doyen of Samaritan scholars in the 20th century, to obtain from the Samaritan high priest a photograph of the *Tashqil*, the colophon of the scroll, on which its reputed antiquity was based. But only in 1952 did Prof. F. Perez Castro of Madrid University, with the assistance of the Spanish Consul in Jerusalem, succeed in preparing a microfilm copy of the entire Abisha scroll which, as we now know, actually comprises different manuscripts of varying antiquity. In the edition under review, Perez Castro presents the most ancient part of the scroll, *Num.* 35:1 — *Deut.* 34:12, transliterated in Hebrew square characters, together with a critical apparatus (pp. 1-116). The original text of this section is also reproduced in facsimile in 24 plates. The reader thus has the opportunity to form his own judgement of the value of the manuscript, although the technical execution of the photographs is not entirely satisfactory. The text and

plates are preceded by a detailed and most informative introduction in Spanish (pp. xiii-liii).

The manuscript dealt with in the book was called by the Samaritans *Sefer Abisha* on account of the colophon, which names as its copyist Abisha, the great-grandson of Aaron the High Priest. Unlike Jewish scribes of the Middle Ages, who used to append the colophon at the end of a manuscript, it was the custom of Samaritan scribes to introduce the colophon into the text proper. This was achieved by splitting, so to speak, the lines of a chosen passage, so that a column of one letter remained in the middle of the page. When read vertically, this column indicated the name of the scribe, and where and when it was written; it sometimes also gave further information about the manuscript and its copyists. This ingenious method made forgeries well-nigh impossible: any alteration of the colophon would entail an alteration of the holy writ, which could easily be detected. In the Abisha scroll the colophon is inserted in the section *Num.* 6:10—13:19, and it reads: "I, Abisha, son of Pinehas, son of Eleazar, son of Aaron the priest—may God's favour and honour be their lot—wrote this holy book at the entrance of the Tabernacle on Mount Gerizim in the year thirteen of Israel's reign over the land of Canaan in all its boundaries roundabout. I praise (lit. thank) God. Amen."

The professed hoary antiquity of the scroll according to its colophon does not deserve serious consider-

ation. Even the possibility that it was copied from another, older manuscript must be ruled out. But Perez Castro is most probably right in refusing to declare it an outright pious fraud, since we do not know of any other forged colophon in a Samaritan Pentateuch scroll. We should therefore look for a possible explanation in a coincidence of names between a family of scribes flourishing at a later period and the biblical priestly family. Furthermore, Samaritan scribal customs may have given rise to some involuntary confusion. It is on these lines that Perez Castro proceeds to solve the problem. In other Samaritan texts we sometimes find a double indication of the date of writing, aimed at the synchronization of Muslim chronology with an accounting starting from the Israelite conquest of Canaan. Thus, a manuscript preserved in New York is dated 1231/2 CE by the following formula: "In the year 629 of Ismael's rule (i.e. after the *hijrah*), which is the year 3200 after Israel's settlement in the land of Canaan, which is the year 5993 of the creation". In some cases of dating, the thousands are not recorded since they were taken for granted, and it is left to the reader to supply them mentally. According to Perez Castro, this is the case with the Abisha scroll. He assumes that it was actually written in the year 3013 after the conquest of Canaan and that the scribe omitted the words "three thousand". Moreover, it is well known that Samaritan priests are customarily named after

the Aaronides. It is therefore probable that owing to the apocopated date the priestly scribe of the scroll, Abisha son of Pinehas, was later identified with Abisha, the great-grandson of Aaron the High Priest (*Ezra* 7:5). It should be pointed out that the words "Eleazar son of Aaron the Priest" of the colophon were written by a different hand, on a patched strip of the scroll. Since the Pentateuchal text is nearly obliterated in this place, it was very easy to add some words to the original colophon without using letters of the Bible text.

Even if the apparently late date proposed by Perez Castro, 1045 CE, is accepted, the Abisha scroll must still be considered one of the oldest extant Samaritan manuscripts of the Pentateuch, few of which were written before the 13th century. But this applies only to the most ancient part of the scroll, those 24 columns edited by Perez Castro, which were written on the oldest parchment strips of the scroll; all the other columns are later. Some were even written on paper, not on skins of ritually clean animals as required for scrolls prepared for public use in Samaritan synagogues. This seems to corroborate an interesting statement concerning the Abisha scroll which is found in a Samaritan historiographical compilation, *Sefer haTolidah*, which is known from a manuscript of the year 1346 CE. There it is related that, presumably at the end of the 13th century, a Samaritan priest took up the holy book to read from it to the congregation while he was ritually un-

clean. When the scroll was unrolled the earth quaked, thunder shook the firmament, and a sudden gust of wind tore the scroll out of its wooden case and swept it heavenwards. The congregation was seized by confusion, but some valiant men steadied their hearts and gripped the lower end of the scroll. The scroll was torn and thus they managed to save part of it while the other part disappeared into the clouds. The remnant, comprising *Num* 35:2—*Deut.* 34:10, was kept from then on in the Samaritan synagogue at Nablus. This miraculous story probably mirrors the rediscovery in the 13th century of the ancient parts of the Abisha scroll, which by then was already held in high esteem. Owing to its exceptional value, the missing portions were gradually restored by different scribes over a long period. Perez Castro recognizes eight hands; most of them he assigns to the 14th century.

The rediscovery of the ancient Abisha scroll calls for a new critical edition of the Samaritan Pentateuch. This edition should also make use of the old manuscripts discovered during the last forty-odd years which were not at the disposal of von Gall for the preparation of his edition.¹ In contrast to von Gall's eclectic text, the new edition should be based on the faithful reproduction of one complete manuscript chosen for the merit of antiquity and reliability, accompanied by an apparatus recording the most important, and com-

¹ A. von Gall, *Der Hebräische Pentateuch der Samaritaner*, Giessen, 1918.

paratively few, variants found in other Samaritan manuscripts. The recording of variants from the Masoretic text, as done by Perez Castro in his edition of the original Abisha scroll, is gratuitous. One would welcome instead the notation of possible variants underlying the Samaritan Aramaic translation (which has yet to be properly edited) and of others which can be restored from Samaritan exegetical treatises, only some of which are available in scientific editions. Owing to its fragmentary state, the Abisha scroll cannot serve as the basic text of such an edition, but it should provide valuable material for the apparatus. The best choice would probably be the *Sefer Zurbil*, the *Serubabel* scroll now in the Cambridge University Library; it is complete and may be even older than the Abisha scroll, since it was probably copied in the 10th century.

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ON THE TRIAL OF JESUS, by PAUL WINTER, *Studia Judaica* Vol. I., Walter de Gruyter, Berlin, 216 pp.

It has been suggested more than once that a Jewish court should *reopen* the trial of Jesus. But suppose that Jesus of Nazareth had never been formally tried by a Jewish court, how could such a trial be *reopened*?

If it were at all possible to bring to trial those who oppressed the Jewish people in the distant past, one of the accused would certainly be the Roman Governor of Judaea, Pontius Pilate. Seven grave charges against him have been preserved in Philo's

Legatio ad Caium. These include acts of robbery, cruelty and execution without trial. Josephus did not report all of Pilate's atrocities against the Jewish people (nor against the Samaritans). We read in *Luke*, for example, "about the Galileans whose blood Pilate had mixed with their sacrifices" (13:1).

One of the charges raised in Pilate's trial would certainly be that his soldiers arrested Jesus, "beat him about the head with a cane and spat upon him, and they knelt and paid mock homage to him" (*Mark* 15:19). Pilate executed Jesus as a rebel, though apparently uncertain about the charge.

These facts are well known, yet there are many Christians who consider Pilate to have been an innocent victim of the wicked Jews. Even in our own day one can read in a poem (*The Tablet*, 1 April 1961) that Pilate "was not bad": merely a civil servant who had been sent to govern "the turbulent and most unruly race of the Jews"; that he found a certain peace in Jesus' words and could quietly condemn him, "as Christ turned to him with a smile of love" (a modern legend lacking any scriptural foundation).

Although the Gospels do not depict Pilate as did Philo and Josephus, still they do not claim that the Roman Procurator was innocent: they only report that he found no guilt in Jesus. In the entire New Testament there is no explicit positive statement about Pilate, whilst a passage in *John* implies that he was not of the "sons of

light" (18:37-8): "My task is to bear witness to the truth. For this was I born; for this I came into the world, and all who are not deaf to truth listen to my voice." To which Pilate replied, "What is truth?" The implications of this answer are clear.

Jewish apologists usually try to prove that Pilate was not so innocent as tradition would have him, and to minimize the part played by the Jews in the trial. It is comparatively easy to prove Pilate's guilt, because this is clearly in keeping with historical truth. The second task is more difficult, because the role played by the Jews in the trial of Jesus has been obscured in the sources. Unfortunately, the two are interdependent: if the initiative for the arrest and condemnation of Jesus was Pilate's, then the Jews were only his instruments; but if certain Jews motivated them, then Pilate was their instrument, and perhaps a reluctant one.

These are serious questions facing not only apologists but also scholars. The problems stem from the fact that the Gospels were written as a message of salvation and not as historical biography. Thus the Gospels must be considered as "tendentious literature". One of the clearest examples of this is *Matthew* 27:24-25: "Pilate could see that nothing was being gained, and a riot was starting: so he took water and washed his hands in full view of the people, saying, 'My hands are clean of this man's blood, see to that yourselves.' And with one voice the people cried, 'His blood be on us, and on our children'."

If the author could have foreseen the disastrous consequences of this passage, he would probably have curbed his fancy. It is noteworthy that this passage occurs in *Matthew* only, and therefore does not form part of the original story as preserved in *Mark*. And even Mark's account is only the oldest extant document based on Church tradition, and is itself not *pure history*. "Then we are required, as it were, to break through the Gospel accounts to the traditions behind them, to sift those traditions with a view to determining their sources and relative antiquity, to separate what is editorial accretion from early tradition and, finally, to infer from the most primitive form of tradition the historical event which occasioned it."

The above quotation is from a new work about the trial of Jesus, which is an important contribution to the discussion of the difficult problems surrounding an event which had such decisive consequences for the history of mankind. This interesting book has many positive qualities. Its composition is masterly. The author is not only versed in modern New Testament scholarship, but has acquired a profound knowledge of the Gospels themselves. But Mr Winter's most important achievement is separating out the historical events, the primary report of the events and the secondary traditions. It is clear that this method cannot produce a consistent image of the trial of Jesus, because according to this view the complex stratification of various traditions makes full reconstruction impossible.

Although such a complete reconstruction is impossible, the nature of the narrative in the Gospels, which reports history without being an historical treatise, compels historians to try to detect the facts behind the narrative. The special character of the Gospels in their present form is very well known to Catholic and Protestant scholars. Therefore the criticism of Winter's book by Christopher Hollis (*The Tablet*, 1 April 1961, pp. 297-8) seems to me from some points of view not completely just. Mr Hollis is prepared "to play the same game" as Mr Winter, naturally from his own point of view. He assumes that the members of the Sanhedrin "were willing to condemn Him to death, but, when it came to the actual moment for killing Him, their nerve failed . . . Herod's courage failed and he sent Him back again to Pilate . . . Pilate, a hard and merciless man in all his previous dealings, behaved very differently on this occasion precisely because he was face to face with a situation utterly different from any that he had ever faced before." This strange behaviour, according to Mr Hollis, is explained when we assume that all the *dramatis personae* hesitated to put to death a man who was not an ordinary man. I would not reject Hollis' suppositions if I could find in our sources the slightest indication of a failing of nerve on the part of the participants in the trial. Therefore Hollis' psychological construction can only prove that the Gospels are a message of salvation and not purely historical documents.

This character of our sources entitles Mr Winter to seek the historical reality on which the Gospels are based.

According to the author, some aspects of the trial are certain, some probable, and others cannot be explained. "It can be affirmed with assurance that Jesus was arrested by Roman military personnel for political reasons and then conducted to a local Jewish administrative authority during the same night. The following morning . . . He was handed back to the Romans for trial. The Procurator sentenced Jesus to death by crucifixion, the sentence being carried out in accordance with Roman penal procedure" (p. 138).

Among the things that, according to Mr Winter, probably happened, are the interrogation of Jesus by the Jewish authorities and the decision taken by the Roman soldiers who were part of the execution squad.

"No certain answers can be given to the following questions: Firstly, what was the immediate cause inducing the authorities to take official action against Jesus? Secondly, who took the initiative in ordering the apprehension of Jesus? Thirdly, what precisely did Jesus do to provoke police action against himself? Not unnaturally, these are questions which many people will deem to be the most important" (p. 138).

The consequences of Winter's research appear to me to be: (1) The sources try to absolve Pilate and the Romans from guilt, but their guilt can be established by the analysis of the sources. (2) The guilt of some

Jews or Jewish authorities is overestimated in our sources, but it is precisely this guilt which cannot be detected. (3) If we do not agree with the claim of our sources that Jesus accepted his death as his task, then it is impossible to know what exactly Jesus did do "to provoke police action against himself".

In my opinion we can be more optimistic than Mr Winter, and we can find a more consistent picture of the trial if we put more faith in the veracity of our sources than the author did. Some progress can be made in the study of the trial of Jesus if the sources, especially the Gospel of Mark, are read without the distorting interpretations of some ecclesiastical authors. It will then be apparent that some basic "facts" are not mentioned in these texts, or at least not in all the texts. The sources must be read with specific attention being paid to only the reported facts and not to the stress put on them. If some of the things seem illogical they cannot be dismissed as not having taken place; in the troubled times before the destruction of the Temple, many illogical, absurd and cruel things happened.

An example of this can be found in Mark's account of the sentencing of Jesus to death. Nowhere is it written that the Jews called for crucifixion. We read that "the chief priests incited the crowd to ask him (Pilate) to release Barabbas rather than Jesus" and only when Pilate asked: "Then what shall I do with Jesus the man you call the king of the Jews?" they shouted back: "Crucify him!"

Thus we see that the mob wanted Pilate to release Barabbas, then in custody with other rebels, who had committed murder in the uprising (*Mark* 15:7; I cannot agree with Mr Winter's argument that the entire passage about Barabbas is not historical). But if Pilate, too, was interested in the execution of the terrorist, why should we not believe that Pilate considered Jesus less dangerous?

But, of course, this does not solve the problem of Pilate's initiative in the trial of Jesus. Mr Winter shows that Jesus was arrested by Roman soldiers and his assertion that Jesus was not tried by the Sanhedrin is obviously correct. He also proves that while Luke did not consider the Jews innocent, he was not prepared to accept Mark's account that Jesus was formally sentenced to death by the Jewish authorities. Jesus then was not sentenced by the Jews, but in fact handed over by the authorities to the Romans.

I can see no reason for not accepting the views of some scholars that the high priest handed over Jesus to the Romans because he had said in the Temple, "I will throw down this Temple, made with human hands, and in three days I will build another not made with hands" (*Mark* 14:58). This eschatological utterance—clearly made, despite Mark's denial—which conforms to the preachings of the Jewish apocalyptics, could be taken as a prediction of the destruction of the Temple. Josephus writes that in 62 CE another man was handed over to the Romans for a similar prophecy.

It seems to me, therefore, that more certainty about the circumstances surrounding the trial is possible than Mr Winter will allow. But fundamentally his analysis is realistic and thus it is

a most important contribution to modern scholarship.

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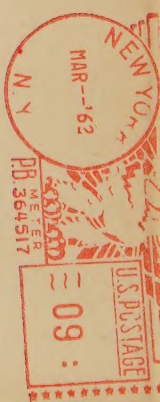
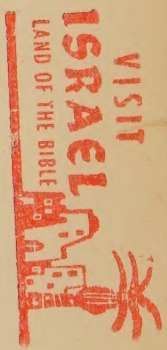
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